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Before The
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

To: The Commission

COMMENTS ON MSTV PROPOSED DTV TABLE OF ALLOTMENTS

The University of Houston System ("University"), licensee of noncommercial educational television station KUHT(TV), Houston, Texas, by its counsel, provides these comments on the modified DTV table of allotments, as proposed by the "Ex Parte Submission Based on New Technical Discoveries to Help the Commission Improve the DTV Table of Allotments/Assignments Submitted by the Association for Maximum Service Television, Inc. and Other Broadcasters," filed November 20, 1997 (the "MSTV Submission").^{1/} While sympathetic to the concerns underlying MSTV's proposed changes in the Table, the University opposes one particular change--the proposed use of DTV Channel 41 for Station KUHT. By previous filings in this proceeding, the University has requested that it be allotted DTV Channel 9 and has demonstrated that Channel 9 could be used by the University. MSTV does not address the University's request, even though MSTV proposes to change its DTV allotment.

^{1/} By Public Notice dated December 2, 1997, the Commission provided until December 17, 1997, for interested parties to comment on the MSTV Submission.

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In the *Sixth Report and Order* in MM Docket No. 87-268, FCC 97-115 (released April 21, 1997) ("*Sixth R&O*"), the Commission allotted DTV Channel 53 for KUHT, which currently operates on NTSC Channel *8. On May 2, 1997, the University filed a petition for reconsideration, requesting that it be allotted DTV Channel 9 instead.^{2/} On June 13, 1997, the University filed a supplement to its petition, demonstrating that DTV Channel 9 would provide all necessary interference protection, except for minor interference that would be predicted to be caused to Station KTRE, Lufkin, Texas. The licensee of Station KTRE, however, provided its written consent to the University's use of DTV Channel 9.

Now, MSTV proposes to modify the DTV Channel 53 allotment, but to change it to Channel 41 instead of Channel 9. MSTV provides no explanation why, if a change from Channel 53 is necessary or useful, its proposal could not accommodate the University's request for Channel 9. To the best of the University's knowledge, it can still use Channel 9 on the basis suggested in its petition and supplement.

For this reason, the University opposes the MSTV Submission insofar and to the extent that it proposes the substitution of DTV Channel 41 for Channel 53 for KUHT, instead of Channel 9. The University urges the Commission to accommodate the technical concerns legitimately raised by MSTV in some other way, and to accommodate KUHT's use of DTV Channel 9.

^{2/} Curiously, MSTV itself had specified DTV Channel 9 for KUHT in earlier versions of its DTV table.

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Respectfully submitted,

UNIVERSITY OF HOUSTON SYSTEM

By: Todd D. Gray
Todd D. Gray
Its Attorney

Dow, Lohnes & Albertson, pllc
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
202-776-2571

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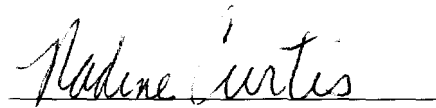
CERTIFICATE OF SERVICE

I certify that I have this 17th day of December, 1997, served copies of the foregoing "Comments on MSTV Proposed DTV Table of Allotments" by First Class U.S. Mail or by hand delivery upon the following:

Richard M. Smith*
Chief, Office of Engineering and Technology
Federal Communications Commission
2000 M Street, N.W.
Washington, D.C. 20554

Clay Pendarvis, Esq.*
Chief, TV Branch
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Jonathan D. Blake, Esq.
Ellen P. Goodman, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044-7566
Counsel for MSTV

A handwritten signature in cursive script, reading "Nadene Curtis", is written over a horizontal line.

*denotes service by hand delivery